



## West Virginia Senate

### Committee on the Judiciary

Minutes for FEBRUARY 12, 2020, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on the Judiciary met on February 12, 2020, 3:00 PM in Room 208-W.

Members present: Senators Trump, Weld, Azinger, Clements, Cline, Maynard, Pitsenbarger, Rucker, Smith, Baldwin, Beach, Hardesty, Jeffries, Lindsay, Romano, Woelfel

Members absent: Senators Takubo

A silent roll call being taken, the presence of a quorum was established.

On motion of Senator Weld, the minutes of the previous meeting were approved.

**S. B. 135 - Prohibiting political subdivisions from enacting certain ordinances, regulations, local policies, or other legal requirements.**

Chris Alder, Counsel, explained the bill, and responded to questions.

Chairman Trump vacated the chair and Senator Weld presided.

With leave of the committee, Susan Economou, Deputy Executive Director, West Virginia Municipal League, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Trump, the committee amended the bill on page 4, line 24 of Section 3, subdivision 9, at the end of the sentence by adding the following "Provided, however, a political subdivision may impose such qualifications and conditions as it may choose within any contract to which the political subdivision is a party."

Senator Trump moved to report the bill, as amended with the recommendation of passage.

Senator Baldwin moved to amend the motion to report, to refer the bill for further consideration to the Committee on Government Organization.

The Chair being in doubt, a division of the body was demanded by Chairman Weld.

The vote being 12 in favor and 3 opposed, the amendment was adopted.

On motion of Senator Trump, the committee recommended the bill for passage with a further recommendation that the bill be referred to the Committee on Government Organization.

On motion of Senator Trump, the committee adopted the title amendment

**S. B. 717 - Relating generally to adult protective services.**

Laura Goins, Counsel, explained the bill, the purpose of the proposed committee substitute.

On motion of Senator Beach, the committee agreed to reconsider the vote by which the motion to report **S. B. 135** was adopted.

On the motion to report **S. B. 135**, Senator Romano demanded the yeas and nays, which demand was sustained.

The yeas were: Azinger, Clements, Cline, Maynard, Rucker, Weld, and Trump – 7.

The nays were: Baldwin, Beach, Hardesty, Jeffries, Lindsay, Pitsenbarger, and Romano – 7.

Less than a majority of all members present having voted in the affirmative, the Chairman declared the motion to report rejected.

**S. B. 717 - Relating generally to adult protective services.**

Laura Goins, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

Senator Trump requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate as he is a Director of, and attorney for, a financial institution.

The Chair replied that any impact on Senator Trump would be as a member of a class of persons and that he would be required to vote.

On motion of Senator Trump, the committee agreed to the committee substitute.

On motion of Senator Trump, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

On Motion of Senator Trump the committee adjourned.

A handwritten signature in blue ink, appearing to read "R. W. Weld", with a long horizontal flourish extending to the right.

Ryan W. Weld  
Chairman

A handwritten signature in blue ink, appearing to read "Beverly Douglas", written in a cursive style.

Beverly Douglas  
Analyst/Clerk



The Senate of West Virginia

Testimony taken this 12<sup>th</sup> day of February, 2020, in  
the Senate Committee on The Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Susan E. Eason

Print Witness Name

[Signature]

Sign Witness Name

Oath was administered by:

[Signature]

Print Member Name

Ryan W. Weld

Sign Member Name